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9 Attorneys for Defendant Genentech, Inc.

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

14 ) Case No.: CV 12-04914 TEH  
15 NADIA NOORZAI,  
16 Plaintiff,  
17 vs.  
18 GENENTECH INC,  
19 Defendant )  
 ) STIPULATION AND [PROPOSED] ORDER  
 )  
 ) Date: December 3, 2012  
 ) Time: 10:00 am  
 ) Place: Courtroom 12  
 ) Judge: Hon. Thelton E.  
 ) Henderson  
)

1 In accordance with the court's Order of November 27, 2012, the  
2 parties hereto stipulate and agree as follows:

3 1. Plaintiff will file an amended complaint by December 11,  
4 2012, deleting references that related to potential federal  
5 causes of action under ERISA. Specifically, Plaintiff agrees to  
6 remove paragraphs 19-23 in their entirety. Plaintiff agrees that  
7 she will not pursue any such allegations in the course of this  
8 litigation. Plaintiff also agrees that she will not seek  
9 damages for wrongful denial of disability benefits in the course  
10 of this litigation.

11 2. The parties understand that after the amended complaint is  
12 filed, the case shall be remanded to the Superior Court for San  
13 Mateo County, California.

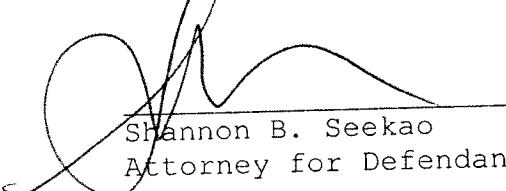
14 3. The hearing previously set for December 3, 2012 will be  
15 taken off calendar.

16  
17 Agreed to and approved:

18 Date 11/28/12

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Arthur R. Angel  
Attorney for Plaintiff Nadia Noorzai

20  
21 Date 11/28/12

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Shannon B. Seekao  
Attorney for Defendant Genentech, Inc.

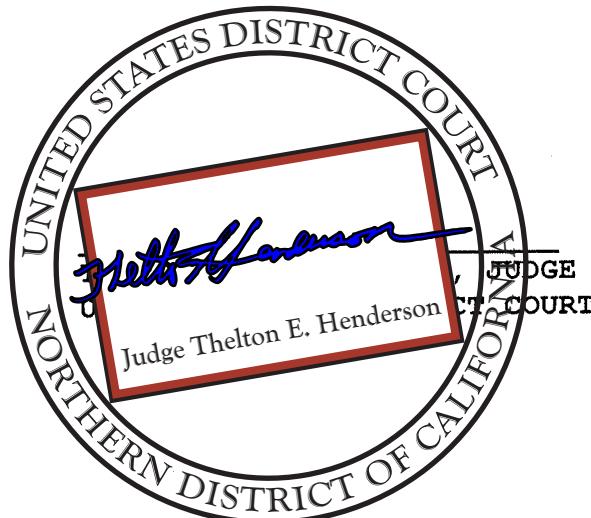
23  
24 [Proposed] Order

25 The above stipulation is approved and accepted and shall be the  
26 order of the court.

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28 IT IS SO ORDERED

1 Dated

2 11/29/2012



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